

[1]

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 2135/2006

ABDUL RASHID Vs. THE RENT TRIBUNAL, JAIPUR & ANR.

DATE: 01.08.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Anil Khanna for the petitioner.
Mr. Ajay Tantia for the respondents.

This writ petition is directed against the order dated 06.01.2006 passed by the Rent Tribunal, Jaipur, whereby the Tribunal refused to take reply submitted by the petitioner on record.

The petitioner filed reply after delay of 134 days, whereas as per the provisions of the Rajasthan Rent Control Act, the petitioner was required to submit his reply after service within 45 days, therefore, reply was not taken on record.

Having considered the rival submissions of the respective parties and after going through Order 1 Rule 8 CPC, even after stipulated period reply can be taken on record, if the Court think it proper in the interest of justice.

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In the instant case also, I deem it proper to grant one chance to the petitioner to file reply and the Court below is directed to take the same on record subject to condition of payment of Rs. 2,000/- as cost on the next date.

With these observations, the writ petition stands disposed of.

(K.S. RATHORE),J.

/KKC/